

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Wassim Abedrabbo	Team: Squad #9	CCRB Case #: 202005701	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 08/15/2020 10:00 AM	Location of Incident: [REDACTED]	Precinct: 112	18 Mo. SOL 2/15/2022	EO SOL 5/4/2022	
Date/Time CV Reported Tue, 08/18/2020 11:14 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Tue, 08/18/2020 11:14 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Tyler Carlucci	27664	968995	112 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Belinda Diaz	30710	965046	M E L D

Officer(s)	Allegation	Investigator Recommendation
A.POM Tyler Carlucci	Off. Language: Police Officer Tyler Carlucci made remarks to § 87(2)(b) based upon ethnicity.	[REDACTED]

Case Summary

On August 18, 2020, § 87(2)(b) filed this complaint via the CCRB's call processing system.

On August 15, 2020, at approximately 10:00 a.m., § 87(2)(b) called 311 with a noise complaint at § 87(2)(b) in Queens. Police Officer Tyler Carlucci and Police Officer Belinda Diaz, both of the 112th Precinct, responded to the location. After speaking with § 87(2)(b) and the neighbor whom he filed the noise complaint against, PO Carlucci allegedly told § 87(2)(b) that if he did not like the noise, he should go back to Africa (**Allegation A: Offensive Language – Race**, § 87(2)(g)). After, the officers left the location. No arrests were made nor summonses issued as a result of this incident.

Requests for NYPD Body-worn Camera (BWC) yielded negative results. The incident in question did not warrant a mandatory BWC activation.

Findings and Recommendations

Allegation (A) Offensive Language: Police Officer Tyler Carlucci made remarks to § 87(2)(b) based upon ethnicity.

It is undisputed that on August 15, 2020, § 87(2)(b) called 311 to file a noise complaint, that PO Carlucci and PO Diaz responded to the location, and that PO Carlucci interacted with § 87(2)(b) and the neighbor § 87(2)(b) filed the complaint against.

§ 87(2)(b) stated that after PO Carlucci spoke to his neighbor and returned, he told § 87(2)(b) that the neighbor was not making any noise (**Board Review 01**). After § 87(2)(b) continued to state that he was affected by the noise, PO Carlucci told him that if he did not like the noise he should go back to Africa and that he did not want to return to the location in the future. The officers then walked down the staircase located directly in front of his apartment and left the scene.

PO Carlucci stated that he did not recall where he and PO Diaz went after speaking with § 87(2)(b)'s neighbor; particularly, he did not recall if they went back to speak with § 87(2)(b) after (**Board Review 02**). He stated that he did not tell § 87(2)(b) to go back to Africa at any point and did not speak to him offensively in anyway.

On April 6, 2021, Sergeant Lynda Chervoni, of the NYPD's Military and Extended Leave Desk confirmed that, PO Diaz is on extended military leave until September 30, 2021, and is entitled to a ninety day extended leave that may amend her return date to December 29, 2021 (**Board Review 03**). § 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) § 87(2)(b)

